

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

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In re:	:	
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THE FINANCIAL OVERSIGHT AND	:	PROMESA
MANAGEMENT BOARD FOR PUERTO RICO,	:	Title III
	:	
as representative of	:	Case No. 17-BK-3283 (LTS)
	:	
THE COMMONWEALTH OF PUERTO RICO <i>et al.</i> ,	:	(Jointly Administered)
	:	
Debtors. <sup>1</sup>	:	

	X	
	:	
In re:	:	
	:	
THE FINANCIAL OVERSIGHT AND	:	PROMESA
MANAGEMENT BOARD FOR PUERTO RICO,	:	Title III
	:	
as representative of	:	Case No. 17-BK-4780 (LTS)
	:	
PUERTO RICO ELECTRIC POWER AUTHORITY,	:	(Jointly Administered)
	:	
Debtor.	:	

**[PROPOSED] ORDER GRANTING OFFICIAL COMMITTEE OF UNSECURED  
CREDITORS' MOTION *IN LIMINE* TO PRECLUDE TESTIMONY FROM DAVID  
BROWNSTEIN AND DAVID SKEEL AT THE CONFIRMATION HEARING**

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<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Upon consideration of the *Official Committee of Unsecured Creditors' Motion in Limine to Preclude Testimony from David Brownstein and David Skeel at the Confirmation* (the “Motion”),<sup>2</sup> the Court hereby FINDS AND DETERMINES that (i) the Court has jurisdiction to consider the Motion and the relief requested therein pursuant to section 306(a) of PROMESA; (ii) venue is proper before this Court pursuant to section 307(a) of PROMESA; (iii) notice of the Motion being adequate and proper under the circumstances; and after due deliberation and sufficient cause appearing; therefore, it is hereby ORDERED that:

1. The Motion is GRANTED.
2. David Brownstein and David Skeel are precluded from offering testimony during the Confirmation Hearing on the topics over which they claimed privilege and declined to give testimony during their depositions, including (i) in the case of David Brownstein, testimony relating to the mediation of the National and Fuel Line Lender settlements or the mediation of other aspects of the Amended Plan of Adjustment, and (ii) in the case of David Skeel, testimony relating to (a) the role the mediation played in formulating the National Settlement, and (b) the legal arguments raised by the Fuel Line Lenders that allegedly supported the reasonableness of the Oversight Board's settlement with such parties.
3. The Court shall retain jurisdiction to hear and determine all matters arising from the implementation or interpretation of this Order.

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<sup>2</sup> Capitalized terms not defined herein shall have the meanings ascribed to them in the Motion.

Dated: June \_\_\_\_, 2023

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HONORABLE LAURA TAYLOR SWAIN  
UNITED STATES DISTRICT JUDGE